THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION No.24828 OF 2004

ORDER:

When the vacate petition filed by the respondents 6 & 7 is listed for consideration, at the request of both parties, the main Writ Petition itself is heard and decided.

The main Writ Petition is filed aggrieved by the alleged action of the respondents 1 to 5 in taking steps to grant new T.F.T. licences in Desaipeta and Ramannapet Gram Panchayats, which are within the area of operation of the petitioner-Society.

This Court while directing *Rule* Nisi by order dated 25.4.2005 ordered that status quo existing as on that date shall be maintained.

In the counter-affidavit filed on behalf of the respondents 5 and 6 it is stated that during the pendency of the Writ Petition, the 2nd respondent passed order dated 22.4.2005, directing establishment of a new toddy shop at Desaipet in Vetapalem Mandal.

The learned counsel for the petitioner submits that since the said order was passed without taking into consideration the objections raised by the writ petitioner-Society that Desaipet Gram Panchayat falls within the area of operation of the licence granted in favour of the petitioner-Society, the impugned action cannot be sustained.

The learned Government Pleader submits that the Deputy Commissioner of Prohibition & Excise is the competent authority and the objections if any raised by the petitioner will be taken into consideration and fresh decision will be taken in accordance with law.

Accordingly, without expressing any opinion on merits, the Writ Petition is disposed of with a direction to the 2nd respondent to consider the objections raised by the petitioner-Society against the order dated 22.4.2005 and after conducting

necessary enquiry, pass appropriate orders in accordance with law. It is made clear that before passing such order, the 2nd respondent shall afford an opportunity to the respondents 6 and 7 as well. Such enquiry shall be completed as expeditiously as possible, preferably within a period of six weeks from the date of receipt of this order. Till such time, status quo obtaining as on today shall continue.

The Writ Petition is accordingly disposed of. No costs.

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26th September, 2005.

Kgr

THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION No.24828 OF 2004

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26.09.2005

Between:

Vetapalem Toddy Tappers

Cooperative Society Ltd.,

No.1323, Vetapalem (Post & Mandal),

Prakasam District,

Represented by its

President G. Nageswara Rao. .. Petitioner

And

The State of Andhra Pradesh,

represented by its Secretary,

Prohibition & Excise Department,

Secretariat, Hyderabad and six others. .. Respondents.